

Magistrate Judge S. Kate Vaughan

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AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
BY DEPUTY

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,  
Plaintiff  
v.  
ERIC KIKKERT  
Defendant.

CASE NO. MJ22-128

## COMPLAINT

Title 18, United States Code,  
Section 875

BEFORE United States Magistrate Judge S. Kate Vaughan, Seattle, Washington.  
The undersigned complainant being duly sworn states:

**COUNT 1**

### (Interstate Threats)

On or about March 21, 2022, in King County, within the Western District of Washington, and elsewhere, ERIC KIKKERT knowingly and willfully did transmit in interstate and foreign commerce from the State of Washington to Texas, communications, to wit, a series of voicemails, the communications contained a threat to injure a person, that is a United States Senator, namely:

- “That’s a fucking vaccine. And if you don’t fucking talk to me about it. If you don’t advocate for it, I’m gonna fucking blow your brains out”

- “I’m gonna blow your fucking brains out dude, literally.”
- “So I think if you think about what the fuck I’m talking about, alright, I’m willing to put a gun in your face. You better fucking think about it.”.

All in violation of Title 18, United States Code, Section 875(c).

I, Caryn Highley, having been duly sworn, state as follows:

## AFFIANT BACKGROUND

1. I am employed as a Special Agent with the Federal Bureau of Investigation and have been employed with the FBI since August 2014. I am currently assigned to the Seattle Field Division where I am a member of the Sound Regional Violent Crime Task Force, which focuses on violent crimes, including violent threats, and crimes committed within the maritime and aircraft special jurisdiction of the United States. I am a law enforcement officer currently authorized to investigate and enforce violations of federal criminal statutes, including those found in Title 18, 21 and 49 of the United States Code. I have received basic law enforcement training at the 20-week FBI Academy. This training focused on various aspects of conducting criminal enterprise investigations such as interviewing and interrogation techniques, physical and electronic surveillance, development and management of confidential human sources, and arrest planning and execution.

2. The facts in this affidavit come from my personal observations, training and experience, and information obtained from other law enforcement officers.

This affidavit is submitted for the limited purpose of establishing probable cause to believe that ERIC KIKKERT has committed the offense above. I have not included every fact concerning this investigation. Rather, I have set forth the facts that I believe are necessary for a fair determination of probable cause.

## **SUMMARY OF PROBABLE CAUSE**

2       3. On March 8, 2022, the United States Capitol Police received a copy of an  
3 email sent by ERIC KIKKERT. KIKKERT said that on the following day he was going  
4 to “assume the role of the Acting President of the United States with the Law of the  
5 Land.” His email contained a host of other non-sensical statements, including “For my  
6 second action as active president I shall initiate the sex and human trafficking counter  
7 measures on all sectors in which it exists to include the Life Saving Amulet. Fillabuster.”  
8 KIKKERT identified himself in the email by name, and provided his home address,  
9 which is in Kent, Washington. According to the United States Secret Service, KIKKERT  
10 has a history of making threatening comments about individuals in government.

11       4.      Special Agent Wilson with the Capitol Police called KIKKERT.  
12 KIKKERT told Special Agent Wilson that he planned to travel to Washington, D.C.  
13 Although KIKKERT denied any intent to harm anyone, he said he planned to visit the  
14 White House, and if unsuccessful in what he hoped to accomplish, that he planned to start  
15 a militia. He said he had seen mental health professionals in the past, but believed his  
16 illness had resolved.

17       5.     Special Agent Wilson called KIKKERT's mother. She said that KIKKERT  
18 suffers from mental illness, but that he refuses to take medication or continue mental  
19 health treatment. She said that she had never witnessed KIKKERT be violent, and that  
20 he does not have an interest in weapons.

21       6.      On March 10, 2022, the Secret Service encountered KIKKERT at a hotel in  
22 Washington, D.C. KIKKERT said he was a pacifist and was in Washington, D.C., to  
23 advocate for more rights.

24 7. On March 13, 2022, KIKKERT emailed the United States Capitol Police.  
25 He complained about an alleged kidnapping, and made non-sensical statements, including  
26 “You may not use ‘due process’ to evade justice nor to violate ‘good behavior’ and as  
27 such you are subject to direct article 3. Which is 5 years and 10,000 dollars or execution.  
28 Death by firing squad.”

1       8. On March 16, 2022, a Maryland state police officer encountered  
 2 KIKKERT. The officer trespassed KIKKERT from the Hagerstown Speedway in  
 3 Maryland.

4       9. On March 18, 2022, the United States Capitol Police received a voicemail  
 5 which KIKKERT had previously left for the Architect of the Capitol Office of Inspector  
 6 General. He claimed to be in Washington, D.C. He rambled during the voicemail,  
 7 including stating “They are now using due process to evade justice, and I'm calling to  
 8 request assistance before I have to form and regulate a militia, deputize my own, uh,  
 9 militia participants, and then enforce the constitution myself.”

10      10. On that same day, KIKKERT posted on Facebook:



Eric Maker

March 18 at 11:25 AM ·

...

13      Hello, I am looking to purchase some things I need a pistol or two preference is 9 mill, I also  
 14      would like a 12 gauge shotgun and perhaps one of those ar15s your talking about. [REDACTED]

15      I will pay for gas, time spent driving at 22 \$ a hour and any processing fees. To include a handling  
 16      fee of 115 dollars.

17      KIKKERT is a convicted felon who is prohibited from possessing firearms. KIKKERT's  
 18      mother reported this post to the United States Capitol Police and expressed concern about  
 19      his changed attitude regarding firearms.

20      11. On March 20, 2022, a KIKKERT's mother shared recent text messages  
 21      during which KIKKERT expressed an interest in obtaining body armor.

22      12. On March 21, 2022, a man, who appeared to be KIKKERT given the phone  
 23      number used, called Senator Cruz's office, and stated that the Senator either could  
 24      “answer my questions by giving me a call or at the end of my rifle.” On March 22, 2022,  
 25      an individual shared with the United States Capitol Police the following text message  
 26      from KIKKERT that included a photograph of KIKKERT from his time in the military:  
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Ted Cruz is going to  
call me or ill end up  
in his fucking face  
with an assault rifle.



In another shared text, KIKKERT stated: “The death toll stacks every min... Death by firing squad is a legal threat under article 3.”

13. On March 22, 2022, Senator Cruz’s office forwarded voicemails that the office had recently received from KIKKERT, who identified himself by name in one of the voicemails. In the voicemails, he made a number of threatening statements, such as:

- “That’s a fucking vaccine. And if you don’t fucking talk to me about it. If you don’t advocate for it, I’m gonna fucking blow your brains out”
- “I’m gonna blow your fucking brains out dude, literally.”
- “So I think if you think about what the fuck I’m talking about, alright, I’m willing to put a gun in your face. You better fucking think about it.”

14. According to T-Mobile records, these calls routed from a Kent, Washington tower. Thus, the calls were made from the Western District of Washington. They were received by Senator Cruz's office in Austin, Texas.

15. On that same date, KIKKERT called Senator Cruz's office again, and reached a live person, KIKKERT said that he was "one step away from getting an assault rifle and pointing it at the Senator."

16. KIKKERT called Senator Cruz's office again the following day.

KIKKERT said he was not joking about his threats, and said he wanted to ask Senator Cruz some questions “before I shove a rifle in his face and kill him.”

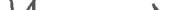
## CONCLUSION

17. Based on the above facts, I respectfully submit that there is probable cause to believe that Defendant, ERIC KIKKERT, did knowingly and intentionally commit the offense of sending interstate threatening communications, in violation of Title 18, United States Code, Section 875.

CARYN HIGHLEY, Complainant  
Special Agent, Federal Bureau of Investigation

Based on the Complaint and Affidavit sworn to before me, and subscribed in my presence, the Court hereby finds that there is probable cause to believe the Defendant committed the offense set forth in the Complaint.

Dated this 13 of April, 2022.

  
S. KATE VAUGHAN  
United States Magistrate Judge